

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Respondent,

No. CR S-02-0191 MCE KJM P

vs.

EMUEL JAMES SMOTHERS,

Movant.

ORDER

Movant, a federal prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2255. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.


On July 11, 2008, the magistrate judge filed findings and recommendations herein which were served on movant and which contained notice to movant that any objections to the findings and recommendations were to be filed within twenty days. Movant has not filed objections to the findings and recommendations.

Although it appears from the file that movant's copy of the findings and recommendations were returned, movant was properly served. It is the movant's responsibility to keep the court apprised of his current address at all times. Pursuant to Local Rule 83-182(f), service of documents at the record address of the party is fully effective.

1 The court has reviewed the file and finds the findings and recommendations to be
2 supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY
3 ORDERED that:

- 4 1. The findings and recommendations filed July 11, 2008, are adopted in full.
- 5 2. Movant's application for writ of habeas corpus under 28 U.S.C. § 2255 is
6 dismissed for movant's failure to keep the court apprised of his current address. See Local Rules
7 83-183(b) and 11-110.
- 8 3. The Clerk of the Court is directed to close the companion civil case no.
9 Civ S-05-0009 MCE KJM P.

10 Dated: September 2, 2008

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12 MORRISON C. ENGLAND, JR.
13 UNITED STATES DISTRICT JUDGE
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